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RICHARD P. SLIVKA

2000 APR 13 A 9:34

April 12, 2000

FEDERAL EXPRESS

U.S. Federal Election Commission
Office of General Counsel
999 E. Street NW
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
APR 13 10 54 AM '00

Re: **MUR 4986**

Dear Office of General Counsel:

This letter is Respondent's answer to MUR 4986, concerning the event for presidential candidate George W. Bush held in the parking lot of the Denver Broncos's Dove Valley headquarters. Due to the local newspapers' inaccurate portrayal of the event, it may have appeared that the Denver Broncos was advocating the election of candidate Bush. However, this is an incorrect portrayal of what occurred at this event. The Denver Broncos did not involve itself in this election process, and has engaged in no conduct violating any state or federal election laws.

On March 10, 1999, a rally was held for presidential electoral candidate George W. Bush. The Denver Broncos had no involvement in the organization of this event; it was entirely organized, overseen and executed by George W. Bush's campaign committee, "Bush For President." After plans to hold the event at nearby Centennial Airport had fallen through, the Denver Broncos organization was contacted by the office of Colorado Governor Bill Owens on behalf of the Bush campaign. At the Governor's request, the Denver Broncos allowed the Bush campaign to use the parking lot adjacent to Dove Valley. The Denver Broncos was simply accommodating a request from Colorado's Governor, and their presence at the event was at the invitation of Governor Bill Owens. At no time did the Denver Broncos make any effort to ensure the success or failure of the event.

During the course of the event, George W. Bush was presented with a customized Denver Broncos football jersey. Such jerseys are regularly presented to celebrities and public figures as gestures of good will. They carry no message of promotion of the people to whom they are presented.

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During the event there was no direct use of any facility at the Denver Broncos's Dove Valley headquarters itself. The entire event took place in the parking lot adjacent to Dove Valley. After the event had ended, the Denver Broncos allowed the press to utilize a room inside Dove Valley for the sole purpose of a press conference.

The Denver Broncos did not contribute or donate anything of value to the Bush campaign for president. It is neither the policy nor practice of the Denver Broncos to charge any fee for the use of its parking lot for public events. Consistent with that position, the Denver Broncos did not charge George W. Bush or any other person in attendance at the event for the use of the parking lot.

Finally, at no point during the event did the Denver Broncos organization, or any of its officers or representatives, expressly advocate the election or defeat of candidate Bush or any other electoral candidate.

In short, neither the Denver Broncos nor any of its officers or representatives have violated any federal election laws. The attached affidavit of Josiah W. Ellis establishes that the Denver Broncos's behavior at the event was well within statutory and policy guidelines. For the reasons discussed above, the Federal Election Commission should not allow this matter to proceed further.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Slivka', with a stylized flourish at the end.

Richard P. Slivka
Counsel for the Denver Broncos

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FEDERAL ELECTION COMMISSION MATTER NUMBER MUR 4986

**AFFIDAVIT OF JOSIAH W. ELLIS, VICE PRESIDENT OF BUSINESS AFFAIRS, FOR
PDB SPORTS, LTD.**

COUNTY OF DENVER)
) ss.
STATE OF COLORADO)

I, Josiah W. Ellis, after having been first duly sworn, depose and state as follows:

1. I am over the age of 18 and have personal knowledge of all matters set forth in this Affidavit.

2. I am Vice President for Business Affairs with PDB Sports, Ltd., d/b/a The Denver Broncos Football Club ("Broncos").

3. As part of my job I am familiar with the terms and conditions upon which individuals and entities utilize the Broncos's Dove Valley Headquarters ("Dove Valley").

4. On March 10, 2000, an event was held in the parking lot of Dove Valley for presidential candidate George W. Bush.

5. The Broncos was initially contacted by the office of Colorado Governor Bill Owens, requesting a space for the event to be held. I understand that the Bush campaign desired to hold the event in Arapahoe County, but was unable to use the parking lot of Centennial Airport, located near Dove Valley. The Broncos then allowed the use of the parking lot adjacent to Dove Valley.

6. The entire event was organized by George W. Bush's campaign committee, "Bush For President."

7. At the event, Broncos Head Coach Mike Shanahan presented a personalized Broncos football jersey to George W. Bush. Such personalized jerseys are regularly presented by the Broncos to celebrities and public figures as demonstrations of good will.

8. During the event, there was no use of the Dove Valley building itself. The entire event occurred in the parking lot adjacent to Dove Valley. After the event, George W. Bush used a room inside Dove Valley for the purposes of a press conference.

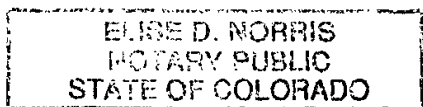
9. It is not the practice of the Broncos to charge a fee for the utilization of the parking lot adjacent to Dove Valley.

10. At no time did the Broncos donate anything of value, nor offer contributions to the election campaign of George W. Bush nor any other presidential candidate.

11. At no time during the event did the Broncos or any of its officers or representatives expressly advocate the election or defeat of a specific presidential candidate.

FURTHER AFFIANT SAYETH NAUGHT.

DATED this 12th day of April, 2000.



Josiah W. Ellis
Josiah W. Ellis

Subscribed and sworn to before me this 12 day of April, 2000 by Josiah W. Ellis.

Witness my hand and official seal.

(SEAL)

Elise D. Norris
Notary Public

My commission expires 1-15-2001.